

IN THE UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF TEXAS
WICHITA FALLS DIVISION

JACK WILLIAM CONE JR

CASE NO. 10-70007-HDH-13

AKA1:
DBA1:
SS#1: xxx-xx- 9224

AKA2:
DBA2:
SS#2:

REPORT OF 341 MEETING

I. 341 MEETING REPORT:

A. Orig. Date: 2/9/2010 Orig. Time: 11:00 AM Reset Date: Reset Time:

B. Meeting Results: Adjourned

C. Debtor(s): Debtor 1 Appeared

D. Attorney for Debtor(s): Appeared

E. Creditor Appearance: None

F. Amount Paid to the Trustee as of 2/9/2010 \$1,687.00 First Payment Due Date: 2/11/2010

G. File Trustee's Motion to Dismiss because

H. B22C Information: B22C Form is: Complete
Budgeted Income: \$6,366.69 Expense: \$4,679.69 Surplus: \$1,687.00
Plan Payment: \$1,687.00 Monthly Plan Term(Months): 60

I. Value of Non-Exempt Property: \$0.00 Proposed Amount to Unsecured Creditors: \$0.00
Objection to Exemption of:
Repeat Filing (If case dismissed, it should be with prejudice) Previous Case Numbers:
Object to Invoke Stay Pleading
Case Converted from Chapter 7, Bar Date Set: 5/10/2010 Date Converted from Chapter 7:

J. Required Information: Good

K. Business Information:

L. Object to Confirmation: Yes
USFCU \$920.46 secured claim needs treatment

M. Financial Management Class: Debtor 1 Appeared

N. Eligibility:
Certificate of Credit Counseling Filed: Debtor 1
Credit Counseling Provider Approved: Yes
Debt Limits Exceeded (Secured-\$1,010,650; Unsecured-\$336,900): No

O. Domestic Support Obligation: \$0.00 Current: Arrears: \$0.00
Affidavit and Disclosure of Domestic Support Obligations Received: Yes

P. Remarks: Questions
-Any gambling winnings or businesses planned?
No winnings & no businesses
-Mr employed or Taxi driving quit 1/31/10?
Employed only quit taxi driving
-Mrs employed?
No
-Avelina Cone knows Mr filed?
Yes
-Why did she not file?
She wants to try to stay out of this.
-Does she plan on filing?
No
-Sch A fails to include all real property.

-2610 9th valued at \$44,202 not listed on Sch A.
-Bought 3/1/2001 by A. Cone.
Gift from the sister.
-When did Mr & Mrs get Married?
5/11/94
-How much is still owed on the property?
nothing
-Non-exempt property can't be determined until Sch A is amended.
-Sch I fails to include rent income of \$_____ from 2610 9th.
\$350, expenses are higher than the rent.
-Where is rent income from 2910 9th? -- mm said this is fine
-Was producing rent of \$4200/yr or \$350/mo.
-What is the monthly income & expense?
\$350 & more than \$350 it is operated at a small loss for her grandchild.
-Sch J lists excessive expenses.
-Line 17a - \$243 VA Military Retirement is waiver of income tax only.
-What is deposited in the bank for Mr? Mrs?
\$1667 as it is in the retirement statement . The net is less than the deduction so no objection.
Objections
-Sch A fails to include all real property - gift from sister -- MM OK -- will not pursue
-Non-exempt property can't be determined until Sch A is amended -- will not pursue
-Feasibility until non-exempt property amount is determined -- will not pursue
-Sch I fails to include all income -- will not pursue
-Sch J lists excessive expenses -- will not pursue
-Failure to include all disposable income -- will not pursue
-USFCU \$920.46 secured claim needs treatment

Dated: 2/9/2010

/s/ Walter O'Cheskey

Standing Bankruptcy Trustee
By: Brent Hagen

10-70007 Page 3 of 4

Case Number:	10-70007
Debtor:	Cone
Attorney:	MJW
Presiding Officer:	Brent Hagan
Calculation Date:	2/9/2010 9:40

Domestic Support Input name from Plan	Arrears Enter amount from Plan	Int. Rate Enter from Plan	Term Per Plan	Calculated Monthly Payment	Total Pmt. Per Term of Plan
	\$0.00	0.00%	1	\$0.00	\$0.00
	\$0.00	0.00%	1	\$0.00	\$0.00

Secured Creditor/Collateral Input name from Plan	Value/Claim Amount Enter amount from Plan	Int. Rate Enter from Plan	Term Per Plan	Calculated Monthly Payment	Total Pmt. Per Term of Plan
Union Square FCU	\$2,684.00	10.00%	8	\$348.20	\$2,785.62
Union Square FCU	\$1,790.04	10.00%	8	\$232.23	\$1,857.82
USFCU - \$920.46 needs treatment	\$0.00	0.00%	1	\$0.00	\$0.00
	\$0.00	0.00%	1	\$0.00	\$0.00
	\$0.00	0.00%	1	\$0.00	\$0.00
	\$0.00	0.00%	1	\$0.00	\$0.00
	\$0.00	0.00%	1	\$0.00	\$0.00
	\$0.00	0.00%	1	\$0.00	\$0.00
	\$0.00	0.00%	1	\$0.00	\$0.00
	\$0.00	0.00%	1	\$0.00	\$0.00
	\$0.00	0.00%	1	\$0.00	\$0.00

Priority Creditor Input name from Plan	Value/Claim Amount Enter amount from Plan		Term Per Plan	Calculated Monthly Payment	Total Pmt. Per Term of Plan
	\$0.00		1	\$0.00	\$0.00
	\$0.00		1	\$0.00	\$0.00
	\$0.00		1	\$0.00	\$0.00
	\$0.00		1	\$0.00	\$0.00
	\$0.00		1	\$0.00	\$0.00
	\$0.00		1	\$0.00	\$0.00
	\$0.00		1	\$0.00	\$0.00

Attorney Fees Paid Through the Plan	\$2,699.00		\$2,699.00
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Noticing Fees	\$120.32		\$120.32
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Clerk Filing Fees	\$0.00		\$0.00
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Hardacre Minimum	\$0.00	<div style="display: flex; align-items: center;"> <div style="border-left: 1px solid black; padding-left: 10px; margin-right: 10px;"> <div style="display: flex; justify-content: space-between;"> <----- Greater Of -----> </div> </div> </div>	
Chapter 7 Minimum (Gross)	\$24.50		
Less Trustee Fees	\$2.45		
Less Attorney Fees	\$2,699.00		
Less Noticing Fees	\$120.32		\$0.00
Less Clerk Filing Fees	\$0.00		
Less Scheduled Priority Claims	\$0.00		
Less Other (Explain Below)	\$0.00		
Chapter 7 Minimum (Net)	\$0.00	<-----	

Total Scheduled General Unsecured Claims (Limits Greater of Hardacre or Chapter 7 Minimum)	\$141,374.45
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Calculated Base (Admin, Secured, Priority, DSO, Lower of Minimum or Sched U/S & Trustee Fee)	\$8,278.59
Debtor Plan Base (Monthly Payment X Term)	\$101,220.00
Surplus (Debtor Plan Base - Calculated Base)	\$92,941.41

Comments:

\$113,289.60 Hardacre comes into play if a objection is filed

Case Number:	0
Debtor:	0
Attorney:	0
Presiding Officer:	0
Calculation Date:	2/9/2010 9:40

Schedule I Gross Income		\$7,659.43
Less Line 57 B22C		\$5,771.27
Adjustments (Enter as positive to add, negative to subtract)		
Adjustment out		(\$1,888.16)
Month Disposable Income Available		\$0.00
Multiplier		60
Minimum to Unsecureds		\$0.00

Comments: